



MA Marine Fisheries Advisory Commission

December 19, 2019 Meeting Summary

This document serves as a brief summary of the December 19, 2019 Marine Fisheries Advisory Commission (MFAC) business meeting. Further details are available in the supplemental meeting materials and MFAC business meeting minutes.

Action Items

Coastal Shark Recommendation

The MFAC reviewed and unanimously approved the Acting Director's final recommendation on coastal shark regulatory amendments to comply with recent adjustments to the relevant federal and interstate fishery management plans (FMP). This includes sex-specific recreational minimum sizes for short fin mako sharks; the mandatory use of non-stainless inline circle hooks when recreational fishing for sharks with terminal tackle other than flies and lures; live release provisions for short fin mako sharks caught in commercial gillnet and long line gear; prohibitions on the retention or possession of certain shark species when fishing for tunas, billfish or swordfish; and clarifications addressing the possession of non-conforming sharks if so authorized by NOAA Fisheries.

2020 Winter I Scup Limits

The MFAC reviewed and unanimously approved the Acting Director's final recommendation to implement a 50,000 pound possession and landing limit during the 2020 Winter I (January 1 – April 30) commercial scup fishery. This action sets the state possession and landing limit commensurate with the federal trip limit for this period.

Future Public Hearings

The MFAC reviewed several DMF draft proposals for public hearings during early March 2020.

This includes proposals to adjust the recreational striped bass limits in accordance with Addendum VI to the Atlantic States Marine Fishery Commission's (ASMFC) Striped Bass FMP. This will change the recreational size limit from a 28" minimum size to a 28" to less than 35" slot limit and require the mandatory use of circle hooks by recreational fishermen fishing with whole or cut baits beginning in 2021. DMF is also proposing a measure to require recreational fishermen only use non-lethal devices if using a device to remove striped bass from the water.

In response to recent commercial fishery performance and quota availability, DMF is proposing changes to the commercial fishing limits for striped bass, black sea bass, summer flounder, menhaden and horseshoe crabs. For striped bass, DMF is proposing to increase the minimum size from 34" to 35"; change the open fishing days from Mondays/Thursdays to Mondays/Wednesdays; and start the open season as early as June 1. For black sea bass, DMF is proposing to increase the weir set aside from 15,000 pounds to 24,000 pounds; allow trawlers to retain 100 pounds of black sea bass during any open fishing day in the small-mesh squid or large mesh summer flounder fishery; and to either maintain

three open fishing days during the directed summertime fishery (Sundays/Tuesdays/Thursdays) but increase trip limits for potters from 300 to 400 pounds and anglers from 150 pounds to 200 pounds or reduce the number of fishing days to two days per week (e.g., Tuesdays/Thursdays) and increase trip limits for potters from 300 to 450 pounds and anglers from 150 to 225 pounds. For summer flounder, DMF is proposing to continue the pilot program allowing the possession of multiple daily limits beginning on June 10 and to increase the trip limits for trawlers from 300 to 400 pounds and for anglers from 200 to 250 pounds. For horseshoe crabs, DMF is proposing to establish an open entry trip limit of 75 crabs for trawlers who do not hold a limited entry horseshoe crab permit endorsement; this will replace the current Letter of Authorization. For menhaden, DMF is proposing to allow fishing at the 25,000 pound trip limit from when 85% of the quota is landed until 100% of the quota is landed, which eliminates the provision that reduces to the trip limit to 6,000 pounds when 95% of the quota is landed. DMF is also proposing to implement regulatory language that will allow Massachusetts to potentially participate in the ASMFC's episodic event quota set-aside and to adopt a 6,000 pound incidental and small scale fishery trip limit to remain in effect once 100% of the quota is taken. Lastly, DMF is proposing a control date and an owner-operator provision for the limited entry menhaden fishery to address concerns about latent effort.

DMF is also proposing several minor discretionary and housekeeping measures. This includes adopting a 200 pound possession limit for sand lance to prevent the development of an industrial bait or reduction fishery; amending the state's sea herring regulations to better conform to the FMP regarding the MA/NH spawning closure and setting of landing limits for Management Area 1A; consolidating edible crab regulations and defining edible crabs to include only native species of crabs, thereby allowing the harvest and sale of invasive crab species without a commercial lobster permit; amend lobster trap allocation rules to better complement federal regulations; clarify those circumstances when performance criteria may be waived when transferring commercial coastal lobster permits; require commercial fishermen make their initial sale of fish only to a primary buyer; and clarify the activities covered by the recreational for-hire permit.

Discussion Items

DMF summarized the recent MFAC Law Enforcement Sub-Committee meeting. The meeting focused on the Cape Cod Canal's striped bass fishery, shellfish enforcement issues, and DMF permitting policies. DMF intends to review the findings of this meeting to develop regulatory proposals for 2021.

DMF provided an overview of the recent joint meeting of the ASMFC and the Mid-Atlantic Fishery Management Council. This meeting focused on setting recreational limits for black sea bass, scup, summer flounder and bluefish in 2020. DMF anticipates status quo management for black sea bass, scup and summer flounder. For bluefish, the most recent stock assessment found that bluefish were overfished but not experiencing overfishing. To address this, the coastwide management approach for 2020 is to reduce the bag limits from 15 fish per angler to five fish for anglers on for-hire trips and three fish for private anglers. DMF is currently analyzing conservation equivalent measures to address concerns about how this rule may impact the state's snapper blue fishery.

DMF provided the MFAC with several short presentations. The Massachusetts' Clean Energy Center (CEC) has made up to \$1 million in funding available for research into offshore wind energy development in Southern New England as it relates to fisheries resources, seafloor habitat and improving compatibility of fishing interest in wind energy areas. DMF reviewed the findings of the recent stock assessment for Gulf of Maine cod which showed the stock is overfished with overfishing occurring and will not meet its rebuilding timeline in 2024. DMF also provided an overview of state-

waters only groundfish catch for Fishing Year 2019 (May 2019 – April 2020). Based on the data, DMF anticipates allowing commercial groundfish fishing in Massachusetts Bay in April 2020. Lastly, DMF reviewed recent meetings with telecommunications company regarding a geophysical survey from Rockport to Lynn to identify a gear free corridor to complete the trans-Atlantic laying of fiber optic cable.

Upcoming Meetings

The MFAC is currently scheduled to meet again on January 23, 2020. Unless otherwise specified, business meetings begin at 9AM and are held at DFW's Field Headquarters located at 1 Rabbit Hill Road in Westborough, MA.

Any materials regarding past or upcoming MFAC business meetings may be obtained from DMF. Contact Jared Silva at DMF (617-626-1534 or jared.silva@state.ma.us).